

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6416**

**BILL NUMBER:** HB 1643

**NOTE PREPARED:** Nov 27, 2006

**BILL AMENDED:**

**SUBJECT:** Child Molesting.

**FIRST AUTHOR:** Rep. Goodin

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ GENERAL  
☒ DEDICATED  
☐ FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** The bill makes child molesting involving fondling a Class B felony (instead of a Class C felony).

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:** On average between 2001 and 2005, there were 295 offenders a year committed to a state correctional facility for child molesting as a Class C felony. Since these offenders would have a later date of release, enhancing this offense from a Class C felony to a Class B felony could increase the number of beds needed if no other changes occur. The average length of stay for all Class B felony offenders is approximately 3.7 years, while the average length of stay for all Class C felony offenders is approximately 2.0 years. Based on the commitment data reported by the Department of Correction, an effective date of July 1, 2007, and a recidivism rate of 40%, an additional 300 beds would be needed for Department of Correction (DOC) facilities by 2009.

State expenditures would increase if an offender is incarcerated in a state prison for a longer period of time. A Class C felony is punishable by a prison term ranging between 2 and 8 years, depending upon mitigating and aggravating circumstances. A Class B felony is punishable by a prison term ranging from 6 to 20 years. More offenders could mean increased costs to the DOC. The average expenditure to house an adult offender was \$22,734 in FY 2006. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. The estimated average cost of housing a juvenile in a state juvenile facility was \$63,139.

**Explanation of State Revenues:** No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for either Class C or B felonies.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** No additional revenues would be expected since the court fees for Class C and Class B felonies are both \$120.

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Indiana Sheriffs' Association, Department of Correction.

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